

Application No.: 09/899,448

Docket No.: OSTEONICS 3.0-417

REMARKS/ARGUMENTS

This is a timely response to a Final Office Action dated May 19, 2004, finally rejecting claims 1-10, 12-15 and 36-41, and noting the allowability of claims 16 and 29-35.

Applicants wish to thank the Examiner for acknowledgement of the allowable claims, and in view thereof, cancel claims 1-10, 12-16 and 36-41 without prejudice or agreement as to the grounds of rejection, reserving the right to prosecute these claims in subsequent continuation application(s). Additionally, per the Examiner's objection to minor typographical errors in claim 29, claim 29 has been amended to address same. Consequently, pursuant to the Examiner's acknowledgement of the allowability of claims 29-35 in the Final Office Action, Applicants submit that, as amended, claims 29-35 are now in immediate condition for allowance. Accordingly, it is respectfully requested that this application now be allowed to pass to issuance.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

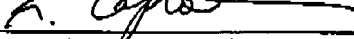
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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: August 11, 2004

Respectfully submitted,

By 
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